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Optoma Technology, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SEIKO EPSON CORPORATION,
Plaintiff,

v.

CORETRONIC CORPORATION and
OPTOMA TECHNOLOGY, INC.,
Defendants.

AND RELATED COUNTERCLAIMS

Case Nos. C 06-6946, 07-6055 MHP

**STIPULATION AND ~~PROPOSED~~ ORDER
MODIFYING MEDIATION PROCESS**

*As modified by court

1 WHEREAS the Court entered an Order on July 3, 2007, pursuant to a Stipulation of the
2 parties, providing for Court Process Mediation to occur within 90 days of the Court's Claim
3 Construction Order;

4 WHEREAS the Court's Claim Construction Order was issued on May 16, 2008;

5 WHEREAS the parties have agreed to proceed by Mediation through a private mediator
6 (former Judge Joseph V. Colaianni) and retained Judge Colaianni, at their mutual expense, in June
7 2008;

8 WHEREAS this Court issued a Notice of Appointment of Mediator to the Parties on July 15,
9 2008; and

10 WHEREAS the Parties have agreed to hold mediation on a mutually agreeable date after the
11 completion of invalidity fact discovery.

12 NOW, THEREFORE, THE PARTIES STIPULATE AND ASK THE COURT FOR AN
13 ORDER AS FOLLOWS:

- 14 1. Vacating the Notice of Appointment of Mediator entered on July 15, 2008;
15 2. Referring the consolidated cases herein for private mediation to be held at a date
16 agreeable to the parties after completion of invalidity fact discovery.
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2 DATED: July 25, 2008

3 Respectfully submitted,

4 _____
5 /s/
6 Yitai Hu (CA Bar No. 248085)
7 Elizabeth H. Rader (CA Bar No. 184963)
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Epson America, Inc.

18 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of
19 perjury that concurrence in the filing of this document has been obtained from Elizabeth H. Rader.

20 Dated: July 25, 2008

21 THELEN REID BROWN RAYSMAN & STEINER LLP

22 By: _____
23 /s/
24 Christopher L. Ogden, Esq.
25 (State Bar No. 235517)

26 Attorneys for Seiko Epson Corporation
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1 Having considered the parties' statements and stipulations set forth above, and good cause
2 appearing therefore, IT IS HEREBY ORDERED THAT:

3 1. The Notice of Appointment of Mediator entered on July 15, 2008 be and hereby is
4 VACATED; and

5 2. These consolidated cases are referred for mediation through a private mediator
6 retained by the parties, to be held at a date agreeable to the parties after completion of invalidity fact
7 discovery. **TO BE COMPLETED BY NOVEMBER 3, 2008.**
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10 Dated: 7/30, 2008

